

Walter O'Cheskey
 Chapter 13 Trustee
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IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 WICHITA FALLS DIVISION

IN RE:

MERION WAYNE PRESTON
 DONNA JEAN PRESTON

CASE NO: 13-70135-HDH-13
 HEARING DATE: 1/16/2014
 HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
015 0 U	CAPITOL LOANS	\$1,932.00	016 0 U	CHEKCO	\$1,830.93
018 0 U	CONTINENTAL -AKA SECURITY FINANCE CORP	\$1,500.00	021 0 U	GEGRB/BEST PRODUCTS	\$1,456.00

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	ONEMAIN FINANCIAL	1992 FORD F150	\$0.00	\$2,000.00	6.00%	36	\$104.09 PAID BY TRUSTEE
No claim filed; no payment will be made until proof of claim is filed! Claim term is extended from 24 to 36 months. See Trustee's Modification below.							
009 0	WESTERN SHAMROCK CORPORATION	1993 TOYOTA VAN	\$408.16	\$1,000.00	6.00%	36	\$18.27 PAID BY TRUSTEE
Claim term is extended from 24 to 36 months. See Trustee's Modification below.							

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
010 0 U	PRA RECEIVABLES MANAGEMENT	\$742.77	011 0 U	CAPITAL ONE BANK (USA) NA	\$304.41
	PURCHASES/CAPITAL ONE			PURCHASES	
012 0 U	CAPITAL ONE BANK USA	\$203.75	013 0 U	CAPITOL LOANS	\$1,421.37
	PURCHASES			LOAN	
014 0 U	CAPITOL LOANS	\$556.80	017 0 U	FIFTH THIRD BANK	\$5,091.47
	LOAN			PURCHASES/FIFTH THIRD BANK	
019 0 U	CREDIT FIRST NA	\$1,218.46	020 0 U	LVNV FUNDING	\$469.83
	PURCHASES/EXPERT TIRES			PURCHASES/CREDIT ONE BANK	
022 0 U	WEBBANK-FINGERHUT	\$1,206.27	023 0 U	MONTGOMERY WARD	\$220.34
	PURCHASES/FINGERHUT			PURCHASES	

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s) Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All secured creditors shall be paid over 36 month terms.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/16/2014 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 12/2/2013

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

CAPITAL ONE BANK (USA) NA PO BOX 12907 NORFOLK VA 23541
CAPITAL ONE BANK 26525 N RIVERWOODS BLVD METTAWA IL 60045
CAPITAL ONE BANK ATTN: BANKRUPTCY DEPT PO BOX 30285 SALT LAKE CITY UT 84130
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272
CAPITOL LOANS 3401 KEMP BLVD STE N WICHITA FALLS TX 76308
CAPITOL LOANS WORLD ACCEPTANCE CORPORATION PO BOX 6429 GREENVILLE SC 29606
CHEKCO 2300 NINTH ST WICHITA FALLS TX 76301
CLIENT SERVICES INC 3451 HENRY S TRUMAN BLVD ST CHARLES MO 63301
CONTINENTAL -AKA SECURITY FINANCE CORP SFC CENTRAL BANK-CONTINENTAL LOANS PO BOX 1893 SPARTANBURG SC 29304
CONTINENTAL CREDIT 2910 KEMP BLVD STE 107 WICHITA FALLS TX 76308
CREDIT FIRST NA PO BOX 818011 CLEVELAND OH 44181
CREDIT FIRST/CFNA BK13 CREDIT OPERATIONS PO BOX 818011 CLEVELAND OH 44181
CREDIT ONE BANK PO BOX 98873 LAS VEGAS NV 89193
EZ RENT 1717 9TH STREET WICHITA FALLS TX 76301
FIFTH THIRD BANK 1830 EAST PARIS SE MS#RSCB3E GRAND RAPIDS MI 49546
FIFTH THIRD BANK 9441 LBJ FREEWAY SUITE 350 DALLAS TX 75243
FIFTH THIRD BANK FIFTH THIRD BANK BANKRUPTCY DEPT 1830 EAST PARIS AVE GRAND RAPIDS MI 49546
GECRB/BEST PRODUCTS PO BOX 981439 EL PASO TX 79998
GINNYS 11112 7TH AVE MONROE WI 53566
GINNYS C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
LVNV FUNDING C/O RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603
MERION WAYNE PRESTON & DONNA JEAN PRESTON PO BOX 943 WICHITA FALLS TX 76307
MONTGOMERY WARD C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
MONTGOMERY WARDS 3650 MILWAUKEE STREET MADISON WI 53714
ONEMAIN FINANCIAL 4214 KELL WEST BLVD STE 107 WICHITA FALLS TX 76309
ONEMAIN FINANCIAL 6801 COLWELL BLVD IRVING TX 75039
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
SEVENTH AVE 1112 7TH AVE MONROE WI 53566
SEVENTH AVENUE C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WEBBANK-FINGERHUT 6250 RIDGEWOOD ROAD ST CLOUD MN 56303
WESTERN FINANCE 3100 SEYMOUR HWY STE 3114/3116 WICHITA FALLS TX 76301
WESTERN SHAMROCK CORPORATION ATTENTION BANKRUPTCY 801 S ABE ST SAN ANGELO TX 76903